

forfeited property according to law, and further notice to all third parties of their rights to petition the Court within sixty days from June 16, 2021, for a hearing to adjudicate the validity of any alleged legal interest in the property. (Doc. 20). In addition, on June 15, 2021 the United States sent direct notice via Federal Express to Linda A. Clark, wife of the Defendant and to JP Morgan Chase Bank, a lienholder. The notice advised the parties of the Government's intent to dispose of the forfeited property in accordance with the law and the right to submit a verified claim to this Court within thirty days of the receipt of this notice. (Doc. 18).

On July 13, 2021, JP Morgan Chase filed a Verified Petition for the Lenoir Property. (Doc. 19). On August 16, 2021, the United States filed a Motion for Consent Order for Third Party Petition. (Doc. 22). On August 17, this Court issued a Consent Order Third Party Petition adjudicating petitioner JP Morgan Chase's interest in the Lenoir Property. (Doc. 23). The time for filing petitions has expired and no petitioners, other than JP Morgan Chase, have filed petitions for the Lenoir Property.

II. DISCUSSION

Pursuant to Rule 32.2(c)(2), “[w]hen the ancillary proceeding ends, the court must enter a final order of forfeiture by amending the preliminary order as necessary to account for any third-party rights.” *See Dillon v. United States*, No. 3:13-CR-295-K(5). 2018 WL 3820228, at *2 (N.D. Tex. Aug. 9, 2018) (“The Court later entered a final order of forfeiture—under Rule 32.2(c)—because a third party had asserted some interest in the property that Dillon had forfeited.”); *United States v. Moser*, 586 F.3d 1089, 1095 (8th Cir. 2009) (noting that “the Government does not possess clear title to the seized property until after the conclusion of § 853(n) proceedings”).

Other than JP Morgan Chase, no individuals or entities have filed petitions and the time for doing so has expired. Therefore, the Court may appropriately grant the Final Order and give the

Government clear title to the Property for disposition in accordance with law. Thus, in accordance with Rule 32.2(c)(2), this Court may now issue a Final Order.

III. ORDER

It is therefore **ORDERED**:

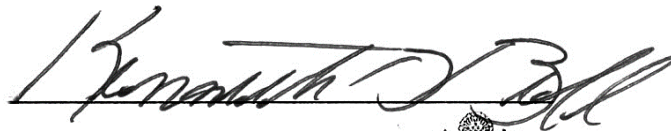
In accordance with Rule 32.2(c)(2), the Consent Order and Judgment of Forfeiture is confirmed as final as to the following property:

The real property located at 1734 Orchard Drive, Lenoir, North Carolina, more particularly described in a Deed to Richard A. Clark and wife, Linda A. Clark, recorded at Caldwell County Deed Book 1257 Page 0471.

All right, title, and interest in the property, whether real, personal, or mixed, has therefore been forfeited to the United States for disposition according to law, subject to the Consent Order for Third Party Petition adjudicating JP Morgan Chase's interest.

SO ORDERED.

Signed: September 20, 2021

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell
United States District Judge

